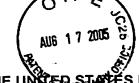
Docket No. 001301.00356



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Burke T. BARRETT et al.

Application No: 10/612,683

Filed: July 1, 2003

Group Art Unit: 3762 Confirmation No. 3429 Examiner: Unassigned

For: TREATMENT OF OBESITY BY BILATERAL VAGUS NERVE STIMULATION

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, Applicant(s) wish to make of record the references listed on the attached form PTO/SB/08 (substitute for PTO-1449). Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references. [Copies of the listed references were cited and/or filed in the parent application, U.S. Parent No. 6.587.719 issued July 1, 2003.]

n the	e paren	application, U.S. Parent No. 6,367,713 issued July 1, 2003.					
\boxtimes	This Information Disclosure Statement is being filed (a) within three months of the filing date of the subject patent application, OR (b) before the mailing date of a first Office Action on the merits. No certification or fee is required.						
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		Each item of information contained in this information disclosure statement was cited for the first time in any communication from a foreign patent office in any counterpart foreign application not more than three months prior to the filing of this statement. No fee is required. No item of information contained in this information disclosure statement was cited for the first time in any communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement. No fee is required. A check in the amount of \$180.00 is enclosed under 37 CFR §1.17(p).					
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Respectfully submitted,

Blank Rome LLP 600 New Hampshire Avenue, N.W. Washington, DC 20037

Tel: (202) 772-5800 Fax (202) 572-8398 Customer No.: 27557 Date: August 17, 2005

Michael D. White Attorney of Record Registration No. 32,795

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of 3

Complete if Known				
Application Number	10/612,683			
Filing Date	July 1, 2003			
First Named Inventor	Burke T. BARRETT et al.			
Art Unit	3429			

Unassigned 001301.00356

U. S. PATENT DOCUMENTS Pages, Columns, Lines, Where Name of Patentee or Publication Date Cite No.1 **Document Number** Examiner Relevant Passages or Relevant Applicant of Cited Document MM-DD-YYYY Initials* Number-Kind Code² (if known) Figures Appear 05/07/1996 Kim et al. US-5,514,175 02/23/1993 Wernicke et al. US-5,188,104 07/30/1996 Zabara US-5,540,734 11/25/1997 Chen et al. US-5,690,691 Cigaina 06/13/1995 US-5,423,872 Wamubu et al. 08/11/1998 US-5,792,210 Schwartz 07/19/1994 US-5,330,507 Taylor et al. 06/22/1999 US-5,913,876 07/30/1996 Terry, Jr. et al. US-5,540,730 US-US-US-ับร-US-US-US-US-US:

	FOREIGN	N PATENT DOCUMENT	s		
Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
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	Substitute for form 1449A/PT0	5		Complete if Known			
				Application Number	10/612,683		
	NFORMATION			Filing Date	July 1, 2003		
;	STATEMENT I	BY AP	PLICANT	First Named Inventor	Burke T. BARRETT et al.		
	(Use as many sh	eets as nec	essary)	Art Unit	3762		
				Examiner Name	Unassigned		
Sheet	2	of	3	Attorney Docket Number	001301.00356		

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
		Iggo, A., Gastric Mucosal Chemoreceptors with Vagal Afferent Fibres etc., Univ. of Edinburgh (1957), 398-409.	
		Stacher, G. et al., Cholecystokinin Decreases Appetite and Activation etc., Brain Research Pub. (1979), 325-331.	
		Rohner-Jeanrenaud, F. et al., A Role for the Vagus Nerve in the Etiology etc., Int'l. J. Obesity (1985), 71-75.	
		Hoebel, B., Brain Neurotransmitters in Food and Drug Reward, AM. J. Clin. Nutr 42 (1985), 1133-1150.	
		Foltin, R. et al., Food Intake in Baboons: Effects of Long-Acting Cholecystokinin Analog, Appetite (1989), 145-152.	
		Moran, T. et al., "Potent and Sustained Satiety Actions of Cholecystokinin etc., Am. J. Clin. Nutr 55 (1992), 286S-90S.	
		Moran, T. et al., Blockade of Type A, But Not Type B, CCK Receptors etc., Am. Physiol. Soc. (1993), R620-R624.	
		Esfahani, N. et al., Inhibition of Serotonin Synthesis Attenuates etc., Pharmac Biochem Behavior 51 (1995), 9-12.	
		Levin, B. et al., Role of the Brain in Energy Balance and Obesity, Am. J. Physiol. 271 (1996), R491-\$500.	
		Pierson, M., Synthesis and Biological Evaluation of Potent etc., J. Med. Chem. 40 (1997), 4302-4307.	

	<u> </u>	
Examiner		Date Considered
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ı	(Use as many si	heets as nece	essary)	Art Unit	3762		
				Examiner Name	Unassigned		
Shee	t 3	of	3	Attorney Docket Number	001301.00356		

NON PATENT LITERATURE DOCUMENTS							
xaminer itials*							
		Brownell, K. et al., ed., Eating Disorders and Obesity, Guilford Press (), 3-7.					
		Ritter, S. et al., ed., Neuroanatomy and Physiology of Abdominal Vagal Afferents, CRC Press (), 221-248.					
		Matson, C. et al., Long-Term CCK-Leptin Synergy Suggests Role for CCK etc., Am. J. Physiol. 276 (1999), R1038-45.					
		Edmond, M. et al., Central Leptin Modulates Behavioral/Neural Responsivity etc., Am. J. Physiol. 276 (1999), R1545-49.					
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